

SECOND AMENDED

Serial No. ....

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED

JUL 29 1980

Date of filing in State Engineer's Office .....

JAN 16 1981

Returned to applicant for correction .....

MAR 2 1981

Corrected application filed .....

Map filed MAR 2 1981 under 41944

The applicant D. C. Day .....

Star Route Box 33 of Alamo  
Street and No. or P.O. Box No. City or Town

Nevada 89001 hereby make application for permission to change the  
State and Zip Code No.

Point of diversion and place of use of a portion

of water heretofore appropriated under Permit No. 19598- Certificate No. 7303

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is underground  
Name of stream, lake, underground, spring or other source.

2. The amount of water to be changed 0.3238 cfs  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for irrigation  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore used for irrigation and domestic  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point located within the NW $\frac{1}{4}$ -SE $\frac{1}{4}$  Sec. 36,  
T3S, R55E, MDB&M, Lincoln County, Nev.; or at a point from which  
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be  
the SE Corner of said Section 36 bears S 32°09'48"E 2922.89 feet.  
stated.

6. The existing point of diversion is located within SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 36  
T3S, R55E, MDB&M, Lincoln County, Nev.; or at a point from which the  
If point of diversion is not changed, do not answer.  
E $\frac{1}{4}$  Corner of said Section 36 bears N 47°10'E 3748 feet.

7. Proposed place of use NW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 36, T3S, R55E, MDB & M  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.  
Lincoln County, Nevada (15.2 acres)

8. Existing place of use NW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 36, T3S, R55E, MDB&M,  
Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.  
Lincoln County, Nevada. (15.2 acres)

9. Use will be from Jan. 1st to Dec. 31st of each year.  
Month and Day Month and Day

10. Use has been from Jan. 1st to Dec. 31st of each year.  
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and  
specifications of your diversion or storage works.) Drilled well - pump and motor  
State manner in which water is to be diverted, whether by dam or other works,

whether through pipes, ditches, flumes, or other conduits.

12. Estimated cost of works.....\$20,000.00
13. Estimated time required to construct works.....two years
14. Estimated time required to complete the application of water to beneficial use.....five years
15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

This 40 acre tract is to be divided into four 10 acre parcels and the purpose of this application is to provide irrigation water rights to each parcel.

Compared sb/ bl.....js/bc.....Applicant D. C. Day

By s/Phil Hulse (Agent)  
PO Box 700  
Pioche, Nevada 89043

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 19598, Certificate 7303 is issued subject to the terms and conditions imposed in said Permit 19598, Certificate 7303 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not

to exceed 0.3238 cubic feet per second, but not to exceed 76 acre-feet annually, but not to exceed a yearly duty of 5.0 acre-feet per acre of land irrigated from any and/or all sources.

Actual construction work shall begin on or before.

Proof of commencement of work shall be filed before.

Work must be prosecuted with reasonable diligence and be completed on or before May 17, 1986

Proof of completion of work shall be filed before June 17, 1986

Application of water to beneficial use shall be made on or before May 17, 1988

Proof of the application of water to beneficial use shall be filed on or before June 17, 1988

Map in support of proof of beneficial use shall be filed on or before June 17, 1988

Commencement of work filed.....IN TESTIMONY WHEREOF, I, PETER G. MORROS,  
Completion of work filed.....State Engineer of Nevada, have hereunto set my hand and the seal of  
Proof of beneficial use filed.....my office, this 17th day of May,  
Cultural map filed.....A.D. 19 85  
Certificate No. ....Issued NOV 6 1987  
CANCELLLED

BECAUSE OF FAILURE

(PERMIT TERMS CONTINUED)

This permit allows for the use of 76 acre-feet of water on 15.2 acres within the NW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 36, T.3S., R.55E.

APPROVED: \_\_\_\_\_  
DATE: \_\_\_\_\_  
BY: \_\_\_\_\_

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